

IN THE SENATE OF THE UNITED STATES.

MAY 21, 1858.—Ordered to be printed.

Mr. YULEE made the following

REPORT.

[To accompany Bill S. 394.]

The Committee on Patents and the Patent Office, to whom was referred the petition of Edson Fessenden, of Hartford, Connecticut, conservator of the person and estate of William Crompton, submit the following report:

The petitioner alleges that William Crompton is the inventor and patentee of an improvement in the power loom for weaving figures or fancy goods, for which he obtained a patent for fourteen years on the 25th of November, 1837. He devoted himself for several years to the introduction of the invention to the notice of inventors until the year 1849, when he became deranged, and was placed in the insane hospital at Hartford, where he has remained ever since, hopelessly insane. On the 29th of November, 1849, Edson Fessenden, the petitioner, was duly appointed conservator of the person and estate of the said Crompton. It is further alleged that, upon application to the Patent Office, an extension was granted for a term of seven years, for the benefit of the inventor, it appearing to the satisfaction of the Commissioner of Patents that the invention was one of much value, and that the inventor had not received an adequate remuneration therefor. The extended term of the patent, it is stated, will expire on the 25th of November, 1858, and the petitioner asks that Congress will further extend the patent for the benefit of the inventor.

An account is presented representing the profits of the patent to have been, during the fourteen years of its original existence, \$5,930; and during the six years of its extension, which have expired, \$19,015; making a total profit of \$24,945. The invention is admitted to be of much value, and testimonials from manufacturers are produced certifying thereto.

The application of the petitioner is recommended to the favor of Congress by a number of the manufacturers using the Crompton improvement. A copy of the representation they make is appended to this report.

On the other hand, it has been represented that the charges in the account exhibited to the committee for time and expense of Crompton are ex-

aggregated, and that the actual clear profit of the inventor has been more than is represented. It was also complained that the assignment to Crompton of the right to use the patent, and the refusal of the right to other machinists, operates as a monopoly in favor of one machine shop.

The committee having called upon the conservator of the lunatic Crompton for information of the value of his estate and the number of his family, he filed a statement, which is annexed, from which it appears that his estate amounts to \$11,568, and that his family consists of six children, three of whom are provided for from the estate of the lunatic.

It was further stated that his physical condition was healthful and vigorous, but that his mental malady was considered incurable.

The facts present a feature unusual in these cases of application for extension. The patent right has been enjoyed twenty-one years, and, as a general rule of action, the committee would not advise an extension beyond that period; but in this case the committee venture to recommend a different and exceptional action.

The patentee, it is admitted, has invented a very useful improvement in the loom. He has thus made a valuable contribution to human comfort and public industry. By an affliction of the same Providence which inspired him to the discovery, he has been stricken with lunacy, and thus is disabled from providing for his own support and that of his family.

For nine years of the term of his patent, his lunacy has entirely unfitted him to manage the interests of his patent, and it is reasonable to presume that its productiveness has been much less in the management of a stranger than would have been the case if he could have superintended its use for himself. Thus, by a misfortune wholly unavoidable, the value of the exclusive right which the law allows has been materially diminished.

It has seemed to the committee that those who are enjoying the benefit and convenience of the improvement which the skill and mental application of the now unfortunate maniac produced, might very properly contribute to the comfort of the remnant of his darkened days, and provide in his stead for the dependent part of his family.

The generous representation of so many of the manufacturing establishments using the improvement seems to invite this course and confirm its propriety.

The conclusion of the committee is to allow, in consideration of the peculiar circumstances of the case, an extension for another term of seven years, which, it is believed, will, together with the sum now held in trust for him, provide a proper fund for his comfortable maintenance. But, in order to prevent the grant of renewal from operating as an inconvenient restriction upon the business of machinists, it is provided that all machinists shall have the right to use the improvement upon paying the moderate fee prescribed in the bill for the privilege.

The committee report the accompanying bill, and recommend its passage.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The undersigned, manufacturers of fancy goods at the places set opposite to their names, respectfully memorialize your honorable body, and show:

That they have for a number of years used, and are now using, in their business aforesaid, figure or fancy power-looms of the kind patented to William Crompton on the 25th of November, 1837, and are well acquainted with its operation.

That they consider it a loom of great practical excellence, and one which, by its extensive introduction, has done much to develop the fancy goods business in this country.

That they are aware of the distressing circumstances of Crompton's life, his pecuniary troubles, and his present insanity, and also of the fact that since the patent has been extended by the Commissioner of Patents, his son, George Crompton, has been most energetic in prosecuting the business of manufacturing and selling the looms, and has given great satisfaction to manufacturers, and much revived and extended the reputation of the looms by his attention and skill in building them.

That, from their knowledge of the history of George Crompton and his father, in connexion with the loom, they are satisfied that neither of them, nor both together, have received from the patent more than a very inadequate compensation for the time, labor, ingenuity, and expense required for the invention of the Crompton loom and its introduction into use.

And that although, as to all looms which they may hereafter require, they would be personally gainers by the manufacture being thrown open to competition so as to reduce the price, yet they believe that the case of Wm. Crompton is that of a most meritorious inventor who has not been suitably rewarded; and, impelled by a desire to see justice done to him and his family, they respectfully pray your honorable body to extend the term of the patent, as prayed for by his conservator.

Allen Hammond, agent New England Company, Rockville, Conn.

George Kellogg, agent Rock Company, Rockville, Conn.

Thos. Barrows, agent American Mills, Rockville, Conn.

Thos. Crossley, agent Ellington Mills, Ellington, Conn.

George Y. Learned, Taconic Mills, Pittsfield, Mass.

Robert Pomeroy, treasurer Pittsfield Woolen Company, Pittsfield, Mass.

Fox & Rice, Worcester, Mass.

E. L. Capron, Worcester, Mass.

F. M. Ballou, Broad Brook Company, Broad Brook, Conn.

B. Sexton, treasurer Warehouse Pt. Company, Conn.

F. M. Brown, treasurer Sequassio Wool Company, Windsor, Conn.

Charles Burnes, agent Clappville Mills, Clappville, Mass.

D. Oakes, Bloomfield, New Jersey.

S. & R. Duncan, Franklin, New Jersey.

Booth Bottomley, Leicester, Mass.

F. Skinner & Co., agents Otter River Company, Templeton, and North Vassalboro' Co., North Vassalboro'.

N. M. Horton & Co., Brookdale, Mass.

Charles Armory, treasurer Manchester Print Works, Manchester, N. H.

Willard Lovering, Taunton, Mass.

T. L. Dunlap, Taunton, Mass.

Joseph Carpenter, Providence, R. I.

Evans & Seagrave, Providence, R. I.

Seagrave & Steere, Providence, R. I.

George T. Rice, Worcester.

J. Wiley Edmonds, Boston.

Lyman Copeland, Glendale, R. I.

Edward Marsh, Pascoag, R. I.

Hawkes & Fowler, Pascoag, R. I.

Charles Fox, Stafford Springs, Conn.

Edward S. Hall & Co., New York.

M. Firgenbaum, New York.

Bush & Simon Kittrick, Auburn, N. Y.

In the matter of the application to Congress for an extension of William Crompton's patent in fancy power-loom—

Edson Fessenden, conservator of the person and estate of Wm. Crompton, of Hartford, State of Connecticut, being duly sworn, says:

That the following is a true account of the assets of said Crompton's estate, and the claims against the same, being a balance of eleven thousand five hundred and sixty-eight dollars.

In cash.....	\$8,836
In notes, the proceeds of the law suit.....	2,010
Account against Furbush and Crompton.....	1,447
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	12,293
Claims against the estate.....	725
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	11,568
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The following are the children of Wm. Crompton, now living: George Crompton, age 29 years; Elizabeth, 27 years; Marianne, 25 years; Kate, 23 years; Sarah Ann, 21 years, and William Henry, 12 years of age.

E. FESSENDEN,

Conservator of the person and estate of William Crompton.

STATE OF CONNECTICUT, *Hartford County.*

Personally appeared Edson Fessenden, well know to me as the conservator of the person and estate of William Crompton, of said Hartford, lunatic, and made oath to the correctness of the within statement and account by him subscribed.

Before me,

HENRY PERKINS,
Justice of the Peace.

HARTFORD, May 11, 1858.

MEMORIAL.

To the honorable the Senate and House of Representatives in Congress assembled:

The undersigned having been applied to, on behalf of the family of *William Crompton*, to express our opinions as to their pending application for an act of Congress to extend his patent of November, 1837, for improved fancy looms, for the further term of seven years, do respectfully memorialize your honorable body, and say—

That we believe the invention of Mr. Crompton to be a very valuable one to the woolen business of our country;

That we believe Mr. Crompton (prior to the loss of his reason) and his son George to have had much difficulty, both from the opposition of rivals and from inevitable misfortunes, to contend with in making profitable use of the patent;

That we believe that, notwithstanding the diligence and attention of the inventor and his son in the business, he (the inventor) and his family have never realized, or his son for them, a fair reward for an invention of such value, and that an extension of seven years would be no more than enough for that purpose, and we think it would be only just to grant it.

F. Skinner & Co., agents Otter River Man'g Co., Templeton, and North Vassalboro' Man'g Co., North Vassalboro'.

Wright & Whitman, agents of several manufacturing companies.

Almy, Patterson & Co, Boston.

Blakes & Kinsley, Boston.

E. P. King, Boston.

Fox & Rice, Worcester, Mass.

Stanfield, Wentworth & Co., Boston.

Austin, Sumner & Co., Boston.

Albert Curtis, Worcester.

Thomas & Co., New York.

Hoyt, Tillinghast & Co., N. Y.

Low, Harriman & Co., N. Y.

Nahum Sullivan, N. Y.

Smythe, Evitt & Cooper, N. Y.

Goodrich, Burnan & Foster, N. Y.

W. Langley & Co., N. Y.

Bowers & Beeckman, N. Y.

Tredick, Stokes & Co., Phila.

S. B. Suit, Philadelphia.

George Bullock, Philadelphia.

